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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,263	09/18/2003	Ralph William MacKenzie	70254-0397	2262
20915 7590 06/27/2008 MCGARRY BAIR PC 32 Market Ave. SW SUITE 500 GRAND RAPIDS, MI 49503				
EXAMINER				
HONG, JOHN C				
ART UNIT		PAPER NUMBER		
3726				
MAIL DATE		DELIVERY MODE		
06/27/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/605,263

**Applicant(s)**

MACKENZIE ET AL.

**Examiner**

JOHN C. HONG

**Art Unit**

3726

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25-43, 83, 85 and 88-140 is/are pending in the application.
- 4a) Of the above claim(s) 25-43, 85, 88, 89, 91 and 92 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 83, 90 and 96-140 is/are allowed.
- 6) ☒ Claim(s) 93-95 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 93 and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hahn (U.S. Patent 4496408) in view of Rhine (U.S. Patent 4632273).

Regarding Claim(s) 93, Hahn teaches Hahn discloses : an automated manufacturing line (Fig. 1) for making composite article from first (28) and second (26) thermoformed workpieces by automatically assembling the first thermoformed workpiece to the second thermoformed workpiece, comprising: a thermoforming station (16) for thermoforming the first and second thermoformed workpieces in a plastic sheet (12); a trim station (30) for individually trimming at least the first thermoformed workpiece from the plastic sheet (Figs. 1, 6, 8 and 9 ; col. 10, lines 5-15).

Hahn fails to teach an assembly station for assembling the first and second thermoformed workpieces by press-fitting the first and second thermoformed workpieces.

Rhine teaches an assembly station for assembling the first and second thermoformed workpieces by press-fitting the first and second thermoformed workpieces (col. 2, lines 54-60 ;).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize an assembly station for assembling the first and second thermoformed

workpieces by press-fitting the first and second thermoformed workpieces, as taught by Rhine on the manufacturing line of Hahn (specifically Fig. 9) so as to secure two components firmly.

Regarding Claim(s) 94, the limitation of the press-fitting of the trimmed first thermoformed workpiece and the second thermoformed workpiece is a snap-fit, it is well known in the art to snap-fit the first and second part of the workpieces and It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize the well known technique on the Hahn's manufacturing line so as to secure two components firmly.

3. Claim 95 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hahn (U.S. Patent 4496408).

Hahn discloses an automated manufacturing line (Fig. 1) for making a composite article from first (28) and second (26) thermoformed workpieces by automatically assembling the first thermoformed workpiece to the second thermoformed workpiece, comprising: a thermoforming station (16) for thermoforming the first and second thermoformed workpieces in a plastic sheet (12); a trim station (30) for individually trimming at least the first thermoformed workpiece from the plastic sheet (Figs. 1, 6, 8 and 9; col. 10, lines 5-15).

Hahn fails to teach an assembly station for assembling the trimmed first thermoformed workpiece onto the second thermoformed workpiece by an adhesive coupling to form the composite article.

But utilizing an assembly station for assembling the trimmed first thermoformed workpiece onto the second thermoformed workpiece by an adhesive coupling to form the composite article is well known in the art and It would have been obvious to one of ordinary skill

in the art at the time of the invention was made to utilize the well known technique on the manufacturing line of Hahn so as to so as to secure two components firmly.

***Allowable Subject Matter***

4. Claims 83,90,96-140 are allowed.

***Response to Arguments***

5. Applicant's arguments with respect to claims 93-95 have been considered but are moot in view of the new ground(s) of rejection. See the new Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN C. HONG whose telephone number is 571-272-4529. The examiner can normally be reached on M-F 9:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID BRYANT can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JOHN C HONG/

Art Unit: 3726

Primary Examiner, Art Unit 3726

Jh

6/21/08